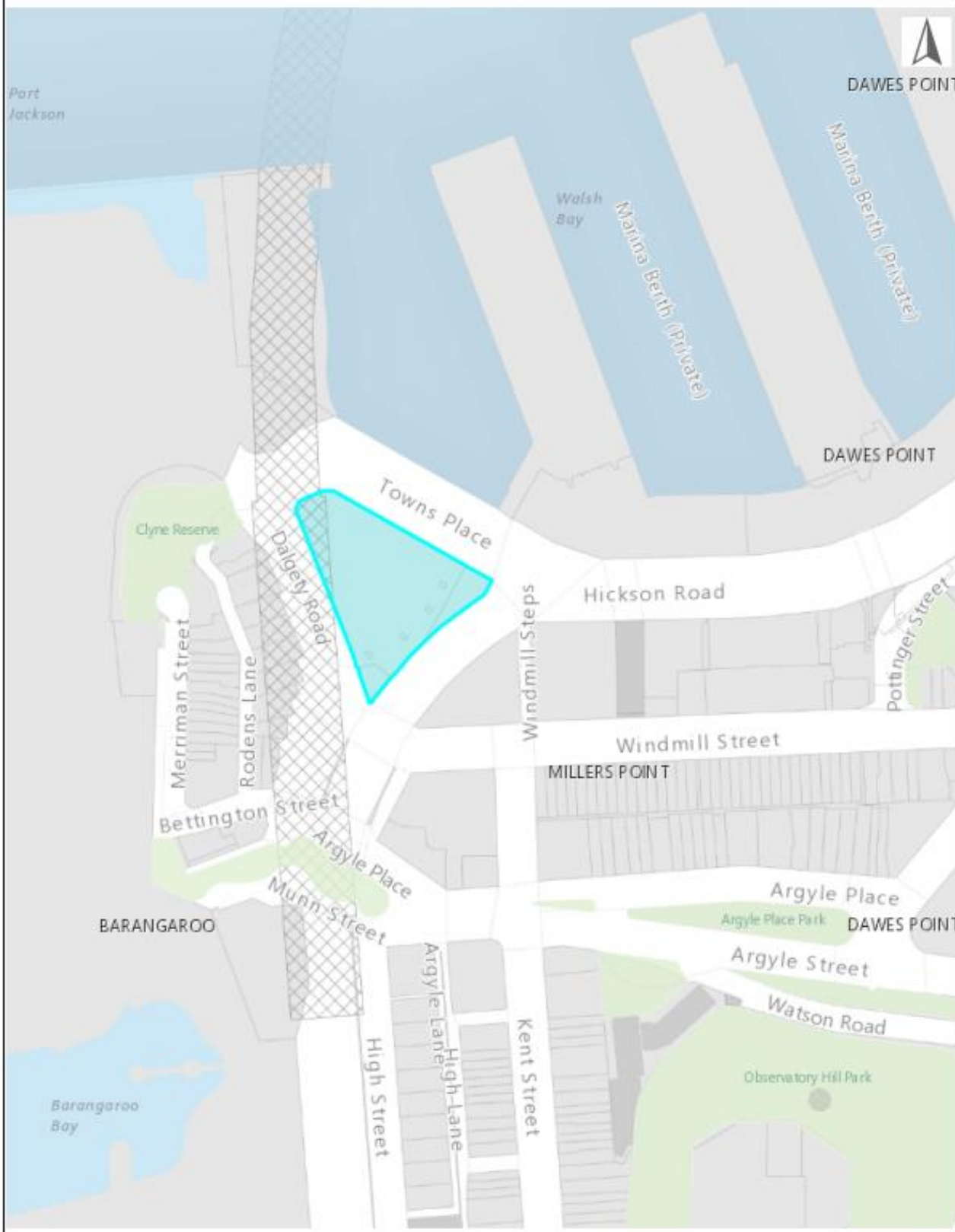


Attachment D

**Inspection Report
1 Towns Place, Millers Point**

1 Towns Place, Millers Point



© City of Sydney Council 2022. All Rights Reserved.
This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from the use, error or omissions therein. While all care is taken to ensure a high degree of accuracy, users are invited to notify Council's Spatial Services of any map discrepancies.
No part of this map may be reproduced without written permission.



Notes

18/10/2022

**Council Investigation Officer Inspection and Recommendation Report
Clause 17(2) of Schedule 5 of the Environmental Planning and Assessment Act 1979
(the Act)**

File: CSM 2855057

Officer: Ashley Host

Date: 26 October 2022

Premises: 1 Towns Place, Millers Point

Executive Summary:

Council received correspondence dated 21 September 2022 from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

The site contains two residential apartment buildings with 78 apartments located above a single four (4) storey basement carpark. Building one contains eight (8) storeys and building two contains four (4) storeys.

The site is irregular in shape with area of approximately 3996sqm. It has a primary street frontage to Towns Place and secondary street frontages to Dalgety Road and Hickson Road. The surrounding area is characterised by a mixture of land uses, primarily being residential and commercial uses.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager, revealed there were no significant fire safety issues occurring within the building other than the issues identified by FRNSW in their report.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire. The annual fire safety certification is on display, within the building in accordance with the requirements of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Council investigations have revealed that whilst there remains several minor fire safety maintenance and management works to attend to the overall fire safety systems provided within the building are considered adequate.

It is considered that the above fire safety concerns are of a degree which can be addressed by routine preventative and corrective maintenance actions undertaken by the owner's fire service contractor(s) through written instruction from Council.

Observation of the external features of the building identified the existence of potential combustible composite cladding on the façade of the building. As this development was originally approved by the Sydney Harbour Foreshore Authority, the appropriate regulatory authority for the cladding is the NSW Department of Planning and Environment who have confirmed to the City that they have carriage of the cladding matter

Chronology:

Date	Event
21.09.2022	FRNSW correspondence received regarding premises 1 Towns Place, Millers Point
13.10.2022	An inspection of the subject premises was undertaken by a Council officer which revealed no significant issues within the premises other than the issues identified by FRNSW in their report.
18.10.2022	Corrective action letter sent

FIRE AND RESCUE NSW REPORT:

References: BFS22/1913 (20970), D22/82135, Trim Ref: 2022/496307

Fire and Rescue NSW (FRNSW) received correspondence dated 21 September 2022 concerning the adequacy of the provision for fire safety in connection with the premises.

Issues

The report from FRNSW detailed numerous issues, in particular noting:

Issue	City response
The Fire Indicator Panel was displaying one fault/disablement	The fault/disablement was corrected at the time of the inspection and the system fully operational. No parts of the system were disabled or isolated at the time of inspection
The Fire Indicator Panel lacked a compliant zone block plan	Whilst there is a block plan already provided to the panel, it does not contain all the relevant information required to be displayed by the Standard To be addressed by corrective action letter sent on 18 October 2022 to provide an updated compliant block plan that details all required information in accordance with Clause 3.10 of AS1670.1-2004
The fire hydrant system lacks a water and fade resistant block plan at the booster assembly	No plan identified at time of inspection To be addressed by corrective action letter sent on 18 October 2022 to install a permanent water and fade resistant zone block plan of the fire hydrant system at the booster assembly in accordance with Clause 7.11 of AS2419.1.2005
Boost and test pressure signage not provided to hydrant booster assembly	No boost and test pressure signage identified at time of inspection To be addressed by corrective action letter sent on 18 October 2022 to install permanent boost pressure and test pressure signage in a prominent position adjacent to the fire brigade booster assembly in accordance with Clause 7.10.1 of AS2419.1-2005.
Storz compatible couplings not provided to fire hydrant valves throughout the premises	Existing fire hydrant valves provided with standard female hydrant valves in lieu of Storz coupling valves

Issue	City response
	To be addressed by corrective action letter sent on 18 October 2022 to Install Storz couplings compatible with FRNSW hose connections to all fire hydrant valves throughout the premises in accordance with Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS2419.2–2009, Clause 3.5 of AS2419.3-2012, 'and 'FRNSW Fire safety guideline, Technical information – FRNSW compatible Storz hose connections – Document no. D15/45534 – Version 09 – Issued 10 January 2019'.
The sprinkler system lacks a water and fade resistant block plan at the booster assembly	No plan identified at time of inspection To be addressed by corrective action letter sent on 18 October 2022 to install a block plan of the sprinkler system at the sprinkler booster assembly in accordance with Clause 8.3 of AS2118.1-1999.

FRNSW Recommendations

FRNSW have made one recommendation within their report. In general, FRNSW have requested that Council:

1. Inspect the subject premises and take action to have the identified fire safety issues appropriately addressed and advise them in writing of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order (NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

As a result of the above investigation undertaken by Council's investigation officer it is recommended that the owner of the building continue to comply with the written fire safety compliance instructions as issued by Council's officer to rectify the identified fire safety deficiencies noted by FRNSW.

Follow-up compliance inspections are currently being undertaken and will continue to be undertaken by a Council investigation officer to ensure already identified fire safety matters are suitably addressed and that compliance with the terms of Council's correspondence and the recommendations of FRNSW occur.

It is recommended that Council not exercise its powers to give a Fire Safety Order at this time.

That the Commissioner of FRNSW be advised of Council's actions and determination.

Referenced/Attached Documents:

2022/538680-01	FRNSW S9.32 report dated 21 September 2022
----------------	--

Trim Reference: 2022/538680

CSM reference No#: 2855057

Unclassified



File Ref. No: BFS22/1913 (20970)
TRIM Ref. No: D22/82135
Contact: [REDACTED]

21 September 2022

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance / Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
1, 5, 7 & 9 TOWNS PLACE, 25A HICKSON ROAD AND 2, 4, 6, 8, 10, 12,
14, 16, 18 & 20 DALGETY ROAD, MILLERS POINT ("the premises")**

In response to the Project Remediate programme being undertaken by the NSW Department of Customer Service, to remove high-risk combustible cladding on residential apartment buildings in NSW, an inspection of 'the premises' on 12 September 2022 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW), pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, the inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

Page 1 of 3

Unclassified

COMMENTS

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items outline concerns in general terms, deviations from the fire safety provisions prescribed in Section 9.32(1)(b) of the EP&A Act and Clause 112 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021).

The following items were identified as concerns at the time of the inspection:

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 81 of the EPAR 2021. The following issues were identified as concerns at the time of inspection:

A. Fire Indicator Panel (FIP) - The FIP was displaying one (x1) fault/disablement, identified as:

i. L3 D29 Z49 B1 Lift E lobby

The Building Manager, who was present at the time of the inspection, was aware of the disablement and FRNSW were advised that the issue would be investigated and resolved in a timely manner.

Notwithstanding this, it would be at Council's discretion as the appropriate regulatory authority, to determine whether further investigation is required in this instance.

B. Zone Block Plan - A permanent, water and fade resistant zone block plan, depicting all the relevant information of the installation, was not securely mounted adjacent to the Fire Control Panel (FIP), contrary to the requirements of Clause 3.10 of AS1670.1-2004. Whilst a 'zone list' is located at the FIP, the list does not provide adequate information to assist FRNSW, which is likely to delay firefighting operations.

1B. The Fire Hydrant System:

A. The booster assembly:

i. A water and fade resistant block plan of the fire hydrant system had not been provided at the booster assembly, contrary to the requirements of Clause 7.11 of AS 2419.1-2005.

ii. Boost pressure and test pressure signage was not provided at the hydrant booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.

- B. Storz couplings, compatible with FRNSW firefighting hose connections were not provided to all fire hydrant valves throughout the premises, contrary to the requirements of Clauses 3.1 and 8.5.11.1 of AS2419.1–2005, Clauses 1.2 and 3.4 of AS2419.2–2009, Clause 3.5 of AS2419.3-2012, 'and 'FRNSW Fire safety guideline, Technical information – FRNSW compatible Storz hose connections – Document no. D15/45534 – Version 09 – Issued 10 January 2019'.

1C. Automatic Fire Suppression System:

- A. The sprinkler booster assembly:
 - i. A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1–1999.
 - ii. A plan of risk (block plan) of the sprinkler system was not provided at the booster assembly, contrary to the requirements of Clause 8.3 of AS 2118.1-1999.

FRNSW is therefore of the opinion that the fire safety provisions prescribed for the purposes of 9.32(1)(b) of the EP&A Act, have not been complied with.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 of this report.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on [REDACTED]. Please ensure that you refer to file reference BFS22/1913 (20970) for any future correspondence in relation to this matter.

Yours faithfully

[REDACTED]

[REDACTED]
Fire Safety Compliance Unit